

JOURNAL OF THE HOUSE.

Tuesday, March 11, 2008.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Prayer.

Eternal God, Your always available assistance enables us to cope wisely with our daily responsibilities and with the demands and expectations of constituents. In these uncertain political and economic times, help us to respond to our legislative obligations and to the opportunities of each day in a thoughtful, calm and reasoned manner. Inspire us to remain faithful to our own high ideals, basic philosophical principles and our human and spiritual values. In our struggle to build a just, peaceful, compassionate and ethical society, grant us the courage to make both the easy and the difficult legislative and personal decisions and choices. We believe that Your ways offer happiness, meaning and direction to our daily living.

Grant Your blessings to the Speaker, the members and employees of the House and their families. Amen.

Pledge of  
allegiance.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Resolutions.

Local Aid,  
resolutions.

Resolutions (filed with the Clerk by Mr. DeLeo of Winthrop) providing for a declaration of the intent of the House of Representatives and the Senate relative to the amount and distribution of Local Aid to the Commonwealth's cities, towns and regional school districts for fiscal year 2009; provided further that timely notice to cities, towns and regional school districts relative to the amounts of school and municipal aid and lottery distributions is essential for an orderly and rational budget process at the local level (House, No. 4595), were referred, under Rule 24, to the committee on Rules.

Mr. Scaccia of Boston, for said committee, then reported that the resolutions ought to be adopted. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House; and, under said rule it was placed in the Orders of the Day for the next sitting, the question being on adoption.

Paper from the Senate.

Civil  
service,  
removal.

A petition (accompanied by bill, Senate, No. 2545) (with the approval of the mayor and city council) of Stanley C. Rosenberg and Peter V. Kocot for legislation relative to the removal of certain positions from civil service, was referred, in concurrence, to the committee on Public Service.

Reports of Committees.

By Mr. Mariano of Quincy, for the committee on Financial Services, on House, Nos. 389, 461, 899, 900, 906, 910, 912, 923, 941, 942, 944, 945, 947, 948, 953, 956, 958, 959, 960, 963, 964, 967, 970, 971, 974, 977, 980, 983, 987, 994, 996, 999, 1001, 1033, 1034, 1038, 1040, 1043, 1047, 1053, 1058, 1060, 1065, 1075, 1079, 1098, 1100, 1101, 1108, 1112, 1115, 1120, 3523 and 3783, an Order relative to authorizing the committee on Financial Services to make an investigation and study of certain House documents concerning financial funding and insurance rates and laws (House, No. 4593). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Financial  
Services,  
study.

Subsequently Mr. Scaccia of Boston, for said committees, reported, asking to be discharged from further consideration of the order; and recommending that the same be referred to the House committee on Rules. Under Rule 42, the report was considered forthwith; and it was accepted.

By Mrs. Haddad of Somerset, for the committee on Education, on a petition, a Bill relative to tuition payments for children in foster care (House, No. 423).

Foster  
children,  
tuition.

By the same member, for the same committee, on Senate, No. 272 and House, No. 484, a Bill relative to the international education and foreign language grant programs fund (House, No. 484).

Foreign  
language  
grant  
programs.

By the same member, for the same committee, on House, Nos. 536 and 582, a Bill relative to school reimbursement (House, No. 582).

School  
reimbursement.

By the same member, for the same committee, on Senate, No. 386 and House, No. 584, a Bill relative to the Massachusetts YouthBuild program (House, No. 584).

YouthBuild  
program.

By the same member, for the same committee, on a petition, a Bill enhancing student opportunity for achievement and results (House, No. 598).

Class  
sizes,  
reduce.

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration

Of the Bill relative to elections in the town of Braintree (House, No. 4458) [Local Approval Received];

Braintree.

Of the Bill providing for the filling of certain vacancies in the town of Braintree (House, No. 4459) [Local Approval Received]; and

ri

Of the Bill relative to vacancies in certain elected offices in the town of Braintree (House, No. 4489) [Local Approval Received];

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And recommending that the same severally be referred to the committee on Ways and Means.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

By Mr. Koutoujian of Waltham, for the committee on Public Health, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2144) of Kay Khan and

Bridgewater  
State  
Hospital.

others relative to medical services at the Bridgewater State Hospital,—and recommending that the same be referred to the committee on Mental Health and Substance Abuse; and

U.S.M.C.,  
plates.

By Mr. Verga of Gloucester, for the committee on Veterans and Federal Affairs, asking to be discharged from further consideration of the joint petition (accompanied by bill, House, No. 3703) of Geoffrey D. Hall and others relative to authorizing the Registrar of Motor Vehicles to issue distinctive registration plates to certain former and current members of the United States Marine Corps,—and recommending that the same be referred to the committee on Transportation.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence.

Housing,  
production  
and  
preservation.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the recommitted Bill financing the production and preservation of housing for low and moderate income residents (House, No. 4472) ought to pass with an amendment substituting therefor a Bill with the same title (House, No. 4594) [Bond Authorization: \$1,380,000,000.00]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling with the amendment (House, No. 4594) and the amendment previously recommended by the committee on Bonding, Capital Expenditures and State Assets (House, No. 4592) also pending.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House; and, under said rule, it was placed in the Orders of the Day for the next sitting the question, being on ordering the bill to a third reading with the amendments pending.

Kathryn  
McGaffey,  
sick leave  
bank.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill establishing a sick leave bank for Kathryn McGaffey, an employee of the Department of Social Services (Senate, No. 2447) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House; and, under said rule, it was placed in the Orders of the Day for the next sitting for a second reading.

SBLI  
life  
insurance.

By Mr. Mariano of Quincy, for the committee on Financial Services, on a petition, a Bill relative to savings bank life insurance (House, No. 949).

Grafton,  
water  
districts.

By Mr. Pedone of Worcester, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to the Grafton and South Grafton water districts (House, No. 4513).

Longmeadow,  
Robert  
Danio.

By Mr. Kaufman of Lexington, for the committee on Public Service, on a petition, a Bill authorizing the town of Longmeadow to continue the employment of Police Chief Robert Danio (House, No. 4437) [Local Approval Received].

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the matters be scheduled for consideration by the House; and, under said rule, they were placed in the Orders of the Day for the next sitting for a second reading.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Bill amending certain health insurance options for municipal retirees (House, No. 2728) be scheduled for consideration by the House with the amendment previously recommended by the committee on Health Care Financing (House, No. 4516) pending.

Municipal  
retirees.

By the same member, for the same committee, that the Bill relative to healthy cosmetics (House, No. 4347) be scheduled for consideration by the House with the amendment previously recommended by the committee on Health Care Financing pending.

Cosmetics.

By the same member, for the same committee, that the Bill placing certain questions on the ballot of the November 2008 Presidential election (House, No. 4500) [Local Approval Received] be scheduled for consideration by the House with the amendment previously recommended by the committee on Election Laws (House, No. 4558) pending.

Palmer,  
charter.

Severally placed in the Orders of the Day for the next sitting for a second reading with the amendments pending.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the following matters be scheduled for consideration by the House:

Senate bills

Designating volleyball as the official recreational and team sport of the Commonwealth (Senate, No. 2004);

Volleyball,  
state sport.

Establishing the position of municipal hearing officer to conduct hearings of violation notices issued in the city of Somerville in accordance with Section 21D of Chapter 40 of the General Laws (Senate, No. 2166) [Local Approval Received];

Somerville.

Relative to health inspectors of the city of Somerville (Senate, No. 2168) [Local Approval Received];

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Further regulating the department of public works of the city of Somerville (Senate, No. 2169, amended) [Local Approval Received];

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Approving the conveyance of property by the county of Nantucket (Senate, No. 2224) [Local Approval Received]; and

Nantucket.

Further regulating the educational requirements for operating boilers under a special license (Senate, No. 2488); and

Boiler  
operator.

Resolve providing for an investigation and study by a special commission relative to the establishment of a cranberry heritage area (Senate, No. 2496); and

Cranberry  
commission.

House bills

Prohibiting certain election practices (House, No. 632);

Web sites.

Relative to voting equipment (House, No. 639);

Elections.

Establishing identification requirements for voters who registered by mail (House, No. 680);

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Relative to political committees (House, No. 683);

Elections.

Elections. Relative to voter registration for program participants (House, No. 686);

ri Relative to specially qualified voters (House, No. 688);

Limited purpose trust company. To clarify the law relative to the supervision of limited purpose trust companies by the Commissioner of Banks (House, No. 965);

Auto insurance. Relative to group auto discounts on bank account balances under the safe driver insurance plan (House, No. 1086);

Credit union insurance. Relative to the Massachusetts Credit Union Share Insurance Corporation (House, No. 1090, changed);

MassHealth. Relating to expanded access to managed care for MassHealth beneficiaries (House, No. 1169);

Restrooms, access. Relative to public access of private restroom facilities (House, No. 2121);

Lakeville. Authorizing the town of Lakeville to pay benefits to the survivors of call firefighters and reserve police officers (House, No. 3956) [Local Approval Received];

Arlington. Reducing the minimum seating capacity of a restaurant that is authorized to apply to the licensing authority of the town of Arlington for permission to serve all alcoholic beverages in the town of Arlington (House, No. 4124) [Local Approval Received];

Braintree. Relative to the park department in the town of Braintree (House, No. 4237) [Local Approval Received];

Newton. Relative to preliminary elections in the city of Newton (House, No. 4397) [Local Approval Received];

Shirley. Authorizing the town of Shirley to establish an account for the Longley Acres Conservation Area (House, No. 4430) [Local Approval Received];

Walpole. Authorizing the town of Walpole to release a certain restriction (House, No. 4491) [Local Approval Received];

Westborough. Authorizing the town of Westborough to grant an additional license for the sale of wines and malt beverages to be drunk on the premises (House, No. 4504) [Local Approval Received];

Chatham. Authorizing the town of Chatham to issue 2 additional licenses for all alcoholic beverages to be drunk on the premises (House, No. 4522) [Local Approval Received];

Brian Leonard. Establishing a sick leave bank for Brian Leonard, an employee of the Department of Revenue (House, No. 4532); and

Hingham. Establishing a voting precinct in the town of Hingham (House, No. 4591) [Local Approval Received]

Severally placed in the Orders of the Day for the next sitting for a second reading.

Turnpike Authority, tourism grant. By Mr. Turkington of Falmouth, for the committee on Tourism, Arts and Cultural Development, ought NOT to pass, on the petition (accompanied by bill, House, No. 3411) of Paul J. P. Loscocco and others relative to providing for the repeal of the local tourism grant program of the Massachusetts Turnpike Authority. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House; and, under said rule, it was placed in the Orders of the Day for the next sitting, the question, being on acceptance.

### *Orders of the Day.*

The engrossed Bill relative to exempting seniors from certain bank fees (see House, No. 975), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see House, No. 4550), was considered.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the form as contained in said message; and the report was accepted.

The House then refused to amend the bill. Sent to the Senate for its action.

### *Order.*

On motion of Mr. DiMasi of Boston,—

*Ordered*, That when the House adjourns today, it adjourn to meet tomorrow at half past eleven o'clock A.M. Next sitting.

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At eighteen minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House adjourned, to meet tomorrow at half past eleven o'clock A.M.